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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/821,094

Applicant(s)

FISHMAN ET AL.

Examiner

MARK A. FLEISCHER

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-24 is/are rejected.
7) ☒ Claim(s) 1, 11, 21 and 22 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 08 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/S508)
Paper No(s)/Mail Date _____
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the Application filed on 8 April 2004.
2. Claims 1–24 are currently pending and have been examined.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show details and do not provide any useful information to facilitate understanding of the invention as described in the specification. The drawings merely show a sequence of numbered boxes to indicate some method steps but do not add any useful information apart from what is in the specification. Applicant is advised to include some useful labels as this may facilitate a better understanding of the invention. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any

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required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

4. Claims 1, 11 and 21 are objected to because of the following informalities: The order of the limitations is inappropriate. The last limitation "wherein the link is generated..." constitutes a constraint or further limitation of the limitation "generating a link..." and appears that it would be more appropriately placed immediately following that limitation. Appropriate correction is required.
5. Claim 22 is objected to because of the following informalities: The reference to the parent claim appears to be a typographical error and states "The system of Claim 22..." and should read "The system of Claim 21..." Appropriate correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
7. Claims 4 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear from the language and structure of the claims whether the "algorithm" is used to 'assign' to a recipient or used to "determine" the rating of the recipient. As such, these claims are vague and indefinite. The claim provides for the use of the algorithm, but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced. For

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purposes of examination, Examiner interprets this claim to mean that an algorithm is used to both assign and determine a rating.

8. Claims 5 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The claim recites "factors selected from...", but does not specify which factors. The claim language use of the term "selected" suggests particular factors which are not delineated. In addition, the claims language "a percentage of previous sales that *included additional items*" where the term "additional items" are not specified is *prima facie* vague and indefinite.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

- a) Determining the scope and contents of the prior art.
- b) Ascertaining the differences between the prior art and the claims at issue.
- c) Resolving the level of ordinary skill in the pertinent art.
- d) Considering objective evidence present in the application indicating obviousness or nonobviousness.

11. Claims 1, 2, 11, 12, 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (US 6067525 A) in view of Andrews(US 20020077998 A1) and further in view of Bergh (US 20020026356 A1).

Claims 1, 11 and 21:

Although claims 1, 11 and 21 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson describes and/or discloses the following limitations as shown.

- *receiving a lead from a potential customer* (Johnson, in at least col. 35, line 31 states: "...which correspond to a salesperson receiving a lead" (emphasis added));
- *determining a plurality of recipients* (Johnson, in at least col. 11, line 7 states: "These modules facilitate the connection of lead information that can be provided to the appropriate salesperson." (emphasis added). Johnson does not specifically describe and/or disclose a particular group of *recipients*, but Andrews, as shown, does. Andrews, in at least [0104] states: "Salesperson [] column pull down menus are populated with the names of the salespersons in the user's territory and the word Unassigned." (emphasis added) where 'populated...' corresponds to the act of *determining a plurality...*);

Johnson and Andrews do not specifically disclose the following limitations, but Bergh, as shown, does.

- *generating a link that is placed in an email* (Bergh, in at least [0060] states: "For example, an email message may be sent directly to customers, while HTML links in the email message reference portions of the content that are placed on web servers." (emphasis added) where the emphasized text corresponds to, *ipso facto* the act of *generating*.); and
- *distributing the email to the plurality of recipients; wherein the link is generated such that a first recipient to access the link is assigned the lead* (Bergh, in at least [0077] states: "Offer broker [] may also send offers to particular users of a lead management system, and limit the number and type of offers sent to those users based on the configuration of the lead management system, thereby achieving a tight integration of the offer management system and the lead management system."

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(emphasis added) where the emphasized text corresponds to *distributing the email to the plurality of recipients*...Note also that 'limit the number...' corresponds to a *first recipient to access*...since the limiting function of the lead management system described encompasses this first-come-first-serve concept only with greater flexibility.).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Note that sales lead distribution is analogous to the delivery of offers as a lead is, in effect, an offer to obtain a business opportunity and results in remuneration to the salesperson. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Johnson, Andrews and Bergh to develop a method and system to manage the distribution of leads for a sales force.

Claims 2, 12 and 22:

Although claims 2, 12 and 22 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh describe and/or disclose the limitations of claims 1, 11 and 21 as shown above. Andrews further describes and/or discloses the following limitation.

- *all subsequent recipients to access the link are notified that the first recipient has been assigned the lead* (Andrews, in at least [0104] states: "Salesperson [] column pull down menus are populated with the names of the salespersons in the user's territory and the word Unassigned. Deal status [] pull down menus are pre-populated with the following: Unassigned, New Lead, Attempt Contact, Qualified Lead, Not Qualified, Proposal Sent, Proposal Accepted, Contract Pending, Closed Sale, Loss, Archived. [...] Last update date [] is used to show when a contact has been 'touched'. This field is updated when a deal status is changed or when an action item

for the contact has been completed. This field cannot be edited by the user and is updated automatically by system []” (emphasis added) where the ‘updated’ information as to the status (‘unassigned’ or ‘proposal accepted’, etc.) corresponds to *notif[ying] that ... has been assigned...*.

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Andrews provides information management techniques to keep users of the system, including members of the sales force informed as to the status of deals. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the teachings of Johnson, Andrews and Bergh to develop a method and system to manage the distribution of leads for a sales force and provide the current status of leads as to whether they are assigned or remain unassigned.

12. Claims 3, 4, 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson/Andrews/Bergh as applied to claims 1, 2, 11, 12, 21 and 22, respectively above, and further in view of Shaio (US 5299260).

Claims 3 and 13:

Although claims 3 and 13 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh describe and/or disclose the limitations of claims 1, 11 and 21 as shown above. Johnson/Andrews/Bergh do not specifically describe and/or disclose the following limitations, but Shaio, as shown, does.

- *assigning a rating to each recipient* (Shaio, in at least col. 10, line 20 states: “A plurality of quantitative values relating to different criteria are maintained for each agent.” (emphasis added) where ‘quantitative values’ corresponds to *a rating* and ‘are maintained for each...’ corresponds to *assigning ... to each...* and ‘agent’ corresponds to *recipient.*); and

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- *using the assigned ratings to determine a plurality of recipients* (Shaio, in at least the abstract states: "Other features of the system are directed to selecting agents to handle incoming calls based on a list of quantitative agent performance values that are continuously updated by a monitoring system." (emphasis added) where 'selecting agents' corresponds to *determine a plurality...* and 'based on ...' corresponds to *using the assigned rating* where 'performance values' corresponds to *ratings.*).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Shaio utilizes a method for assigning a performance rating to a salesperson. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Shaio because it is old and well-known as well as commonplace in the business management and sales arts to employ the use of selection criteria and rating systems so that the most appropriate salespersons are utilized in optimal ways and thereby enhancing the profit potential of the enterprise.

Claims 4 and 14:

Although claims 4 and 14 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh/Shao describe and/or disclose the limitations of claims 3 and 13, respectively, as shown above. Shaio further describes and/or discloses the following limitations as shown.

- *the step of assigning a rating to each recipient uses an algorithm to determine the rating for each recipient* (Shaio, in at least col. 16, line 32 states: "means for monitoring respective performances of said individual agents based upon said data describing success and updating said performance values [...]") (emphasis added)

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where the 'means for...' corresponds to *an algorithm* and 'updating' corresponds to *the step of assigning.*).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Shaio utilizes a method for assigning a performance rating to a salesperson. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the business management arts to employ the use of evaluation system and scorecard and that such use algorithms for both their computation and method of assignment of employees to tasks. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Shaio because it is old and well-known as well as commonplace in the business management and sales arts to employ the use of selection criteria and rating systems and their use of related algorithms so that the most appropriate salespersons are utilized in optimal ways thereby enhancing the profit potential of the enterprise.

13. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson/Andrews/Bergh/Shao as applied to claim 4 and 14 above, and further in view of Examiner's **Official Notice** as shown.

Claims 5 and 15:

Although claims 5 and 15 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh/Shao describe and/or disclose the limitations of claims 4 and 14, respectively, as shown above. Johnson further describes and/or discloses the following limitations as shown.

- *factors selected from a location of the recipient in relation to the potential customer* (Johnson, in at least col. 11, line 3 states: "The lead generation component [] directed primarily to pre-sales activities and includes a number of modules that may

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be installed at various sites for the purpose of providing sales information with or without a salesperson present. These modules facilitate the connection of lead information that can be provided to the appropriate salesperson. Remote sites include trade shows, kiosks, Internet Web sites, or electronic advertising. The lead generation component [] is highly integrated with the time with customer component [] and the self-management component []. All three of these components share a common functionality and are utilized to disseminate the higher quality leads from the lead qualification process." (emphasis added) where the 'remote sites' corresponds to the site of a *potential customer*. Johnson, in at least col. 10, line 21 states: "It is noted that system [] is particularly adaptable for use by sales personnel which must travel over wide geographic areas." (emphasis added) where 'travel over' corresponds to *location ... in relation to...*;

- *a product mix sold by the recipient* (Johnson, in at least col. 23, line 24 states: "It further provides the sales manager with the ability to coach and monitor activities of sales people and enhances the ability to forecast sales and related information such as product requirements, product mix, revenue and profit, commissions, pipeline status, etc." (emphasis added) where these factors such as 'product mix' are based within an historical sales data context and where the term 'forecast' is a rating component that is determined using an 'algorithm'.);
- *a number of leads the recipient has received previously* (Johnson does not specifically describe and/or disclose this limitation, but Andrews does in at least [0110] and describes use of the "Deal History" which encompasses this limitation);

Johnson/Andrews/Bergh/Shao do not specifically describe and/or disclose the following limitations, but Examiner takes **Official Notice** as shown below.

- *a diligence of the recipient;*
- *a percentage of previous leads that resulted in a sale;*
- *a percentage of previous sales that included additional items; and*

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- *a combination thereof.*

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Shaio utilizes a method for assigning a performance rating to a salesperson. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the business management and sales arts to employ the use of evaluation systems and scorecards and that such algorithms take into account factors pertaining to *diligence* and the relative success of making a sale given a sales lead and combinations of these factors. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Shaio because it is old and well-known as well as commonplace in the business management and sales arts to employ the use the aforementioned criteria so that the most appropriate salespersons are utilized in optimal ways thereby enhancing the profit potential of the enterprise.

14. Claims 6–10, 16–20, and 22–24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson/Andrews/Bergh as applied to claims 1, 11 and 21 as shown above, and further in view of Examiner's **Official Notice** as shown.

Claims 6 and 16:

Although claims 6 and 16 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh describe and/or disclose the limitations of claims 1 and 11, respectively, as shown above. Andrews further describes and/or discloses the following limitation.

- *assigning a lead identification to the lead* (Andrews, in at least claim 59 states: "a code segment that stores the deal information into the centralized database and cross-reference the deal information against an unique identifier" (emphasis added) where the emphasized text corresponds to the limitation);

- *assigning a unique identification for each of the plurality of recipients* (Andrews, in at least [0005] states: "The method includes receiving lead information, [...] cross-referencing the lead information against a unique identifier, and providing the stored lead information in response to a user inquiry." (emphasis added));

Johnson/Andrews/Bergh do not specifically describe and/or disclose the following limitations, but Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various encryption methods to maintain the security, integrity and/or authenticity of information held within a system or database or other data storage system and further, to verify, for example, as in electronic mail, that a message has been received and otherwise acted upon.

- *generating a secret code* (See Examiner's **Official Notice** above.);
- *manipulating each unique identification with the secret code* (See Examiner's **Official Notice** above.);
- *and adding a trigger* (See Examiner's **Official Notice** above.).

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Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to identify, verify and confidentially communicate between parties such as sales personnel and their respective managers. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 7 and 17:

Although claims 7 and 17 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh and Examiner's **Official Notice** describe and/or disclose the limitations of claims 6 and 16, respectively, as shown above. Examiner's further takes **Official Notice** as shown.

- *the secret code comprises alphanumeric characters* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to encode or encrypt information using *alphanumeric characters*).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to identify, verify and confidentially communicate between

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parties such as sales personnel and their respective managers and where such encryption codes employ the use of alphanumeric characters. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 8 and 18:

Although claims 8 and 18 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh and Examiner's **Official Notice** describe and/or disclose the limitations of claims 6 and 16, respectively, as shown above. Examiner's further takes **Official Notice** as shown.

- *the secret code is randomly generated* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to encode or encrypt information using codes or keys that are randomly generated.).

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Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to identify, verify and confidentially communicate between parties such as sales personnel and their respective managers and where such encryption codes employ the use of alphanumeric characters and are randomly generated. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 9 and 19:

Although claims 9 and 19 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh and Examiner's **Official Notice** describe and/or disclose the limitations of claims 6 and 16, respectively, as shown above. Examiner's further takes **Official Notice** as shown.

- *the secret code includes at least one number and each unique identification is manipulated by multiplying each unique identification with a number in the secret code (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to establish data integrity, redundancy and security by multiplying an identification code with a secret number.).*

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system.

Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to identify, verify and confidentially communicate between parties such as sales personnel and their respective managers and where such encryption codes employ the use of alphanumeric characters and are randomly generated and where an identification code is multiplied by a number contained within a secret code as, for example, in error checking codes, validation codes, authentication codes, etc. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 10 and 20:

Although claims 10 and 20 are worded and/or structured slightly differently, they have the same scope and so are addressed together. Johnson/Andrews/Bergh and Examiner's **Official Notice** describe and/or disclose the limitations of claims 6 and 16, respectively, as shown above. Examiner's further takes **Official Notice** as shown.

- *the method assigns the lead to the first recipient to access the link through the steps of:*
 - *verifying the trigger* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic communications, digital watermarking, web-casting and tracking arts to employ methods that indicate a user is receiving or accessing a link.);
 - *reversing the step of manipulating each unique identification with the secret code to obtain the unique identification of the first recipient* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to provide methods to decrypt or reverse transformations of data to their original components.);

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- *comparing the lead identification, the unique identification of the first recipient, and the secret code with a database* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to compare communicated information and identification components of messages with specified data stored in a database.);
- *determining whether any unique identification has been associated with the lead identification* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic ticketing arts to employ data processing methods to determine whether an entity, e.g., a ticket or seat or voucher, has already been assigned to some entity.); and
- *associating the unique identification of the first recipient with the lead identification if no unique identification has already been associated with the lead identification, thereby assigning the lead to the first recipient* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic ticketing arts to employ data processing methods to associate certain types of information with other types under circumstances where no previous association has occurred and thereby *assign* an object to an entity.).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to ascertain the status of information such as whether a sales lead has been assigned. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with

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electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 23:

Johnson/Andrews/Bergh describe and/or disclose the limitations of claim 21 as shown above.

Andrews further describes and/or discloses the following limitations as shown.

- *the mechanism for generating the link that is placed in the email comprises:*
 - *a system for assigning a lead identification to the lead* (Andrews, in at least [0005] states: "The method includes receiving lead information, entering the lead information into a centralized database, storing the lead information into the centralized database, cross-referencing the lead information against a unique identifier, and providing the stored lead information in response to a user inquiry." (emphasis added) and in [0006] describes the encompassing system, to wit: "A Sales Lead Management System (SLMS), [...] captures all sales lead information and provides on-line, up-to-date information upon request. The SLMS tracks deals from inception to completion and provides a status of these deals to users. [...] The SLMS includes a sales lead database for use in automating documentation, monitoring and tracking activities associated with management of sales leads." (emphasis added), and finally in at least [0007] states: "Leads are assigned and reassigned by an immediate manager depending on circumstances." (emphasis added));
 - *a mechanism for assigning a unique identification for each of the plurality of recipients* (See the rejections in the previous two limitations as these comprise the *mechanism for assigning*...See also claim 28 in Andrews.);

Johnson/Andrews/Bergh do not specifically describe and/or disclose the following limitations, but Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various encryption methods to maintain the security, integrity and/or authenticity of information

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held within a system or database or other data storage system and further, to verify, for example, as in electronic mail, that a message has been received and otherwise acted upon.

- *a generating mechanism for generating a secret code* See Examiner's **Official Notice** above.);
- *a mechanism for manipulating each unique identification with the secret code* (See Examiner's **Official Notice** above.); and
- *a mechanism for adding a trigger* (See Examiner's **Official Notice** above.).

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system. Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods to identify, verify and confidentially communicate between parties such as sales personnel and their respective managers. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

Claims 24:

Johnson/Andrews/Bergh and Examiner's **Official Notice** describe and/or disclose the limitations of claim 23 as shown above. Examiner's further takes **Official Notice** as shown.

- *the system assigns the lead to the first recipient to access the link through:*
 - *a system for verifying the trigger* (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic communications, digital watermarking, web-casting and tracking arts to employ systems and methods that indicate a user is receiving or accessing a link.);

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- *a system for reversing the manipulation of each unique identification with the secret code to obtain the unique identification of the first recipient (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to provide methods to decrypt or reverse transformations of data to their original components.);*
- *a system for comparing the lead identification, the unique identification of the first recipient, and the secret code with a database (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the data security arts to compare communicated information and identification components of messages with specified data stored in a database.);*
- *a determination system for determining whether any unique identification has been associated with the lead identification (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic ticketing arts to employ data processing methods to determine whether an entity, e.g., a ticket or seat or voucher, has already been assigned to some entity.); and*
- *an association mechanism for associating the unique identification of the first recipient with the lead identification if no unique identification has already been associated with the lead identification, thereby assigning the lead to the first recipient (Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the electronic ticketing arts to employ data processing methods to associate certain types of information with other types under circumstances where no previous association has occurred and thereby assign an object to an entity.).*

Johnson describes and/or discloses a computerized sales force automation system. Andrews describes and/or discloses a web based system and method for managing sales deals. Finally, Bergh describes and/or discloses a web-based offer delivery system and specifically describes and/or discloses its application within the context of a sales force and lead management system.

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Moreover, Examiner takes **Official Notice** that it is old and well-known as well as commonplace in the personnel management, electronic communications, and data storage arts to employ the use of various data security methods and systems to ascertain the status of information such as whether a sales lead has been assigned. Therefore, it would have been obvious to one with ordinary skill in the art at the time of the invention to combine the inventions of Johnson/Andrews/Bergh with Examiner's **Official Notice** because use of data security methods and systems used in conjunction with electronic communications and storage means provides a more secure and reliable method of distributing sales leads.

15. **Examiner's Note:** The Examiner has pointed out particular references contained in the prior art of record within the body of this action for the convenience of the Applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply. Applicant, in preparing the response, should consider fully the entire reference as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

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Conclusion

Any inquiry of a general nature or relating to the status of this application or concerning this communication or earlier communications from the Examiner should be directed to **Dr. Mark A. Fleischer** whose telephone number is **571.270.3925**. The Examiner can normally be reached on Monday-Friday, 9:30am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, **James A. Reagan** whose telephone number is **571.272.6710** may be contacted.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair> <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to **571-273-8300**.

Hand delivered responses should be brought to the **United States Patent and Trademark Office Customer Service Window**:

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1 May 2008
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